

Exhibit AI

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1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF NEW YORK
3 INDEX NO. 190199/2020

4 MARGARET CARDILLO and RONALD CARDILLO,

5 Plaintiffs,

6 vs.

7 AMERICAN INTERNATIONAL INDUSTRIES,
8 Individually and as
successor-in-interest for the
CLUBMAN BRAND, and to THE NESLEMUR
COMPANY and PINAUD COMPANY, et al.,

9 Defendants.

10 _____ /
11
12 REMOTE VIDEOTAPED DEPOSITION OF WILLIAM E. LONGO, PhD
13 Pages 1 - 190

14 Friday, September 1, 2023
15 11:35 a.m. - 5:01 p.m. EDT

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18 REPORTED BY: Beverly Bourlier James, RPR, CRR, FPR

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25 Job Number: 6082963

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<p>1 APPEARANCES:</p> <p>2 JAMES KRAMER, ESQUIRE j.kramer@simmonsfirm.com 3 Simmons Hanly Conroy 112 Madison Avenue, 7th Floor 4 New York, New York 10016-7416 on behalf of Plaintiffs</p> <p>5 ROBERT THACKSTON, ESQUIRE 6 robert.thackston@lathropgpm.com Lathrop GPM LLP 7 2101 Cedar Springs Road, Suite 1400 Dallas, Texas 75201 -and-</p> <p>8 ALFRED SARGENTE, ESQUIRE 9 asargent@hpyp.com Hawkins Parnell & Young LLP 10 275 Madison Avenue, 10th Floor New York, New York 10016 on behalf of American International Industries</p> <p>11 DAVID RUTKOWSKI, ESQUIRE drutkowski@goldbergsegalla.com 13 Goldberg Segalla LLP 1037 Raymond Boulevard, Suite 1010 14 Newark, New Jersey 07102-5423 on behalf of Shulton, Inc.</p> <p>15 JIM MONTANO, ESQUIRE 16 jim.montano@wilsonelser.com Wilson Elser Moskowitz Edelman & Dicker LLP 17 7 Girarda Farms Madison, New Jersey 07940 18 on behalf of Bristol Myers Squibb</p> <p>19 KEVIN HYNES, ESQUIRE khynes@kslaw.com 20 King & Spalding LLP 1185 Avenue of the Americas, 34th Floor 21 New York, New York 10036 on behalf of Estée Lauder, Inc.</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 E X A M I N A T I O N 2 Page</p> <p>3 EXAMINATION 7 BY MR. THACKSTON</p> <p>4</p> <p>5 E X H I B I T S</p> <p>6 Exhibit 1..... Notice of Taking Deposition..... 15 Exhibit 2..... Objections to Notice of Taking ... 16</p> <p>7 Deposition</p> <p>Exhibit 3..... Colorado School of Mines and 21</p> <p>8 Johnson & Johnson documents</p> <p>Exhibit 4..... Margaret Cardillo Exposure 48</p> <p>9 Summary</p> <p>Exhibit 5..... Updated Margaret Cardillo 49</p> <p>10 Exposure Summary</p> <p>Exhibit 6..... February 27th, 2023 affidavit.... 74</p> <p>11 Exhibit 7..... Hauser declaration..... 82</p> <p>Exhibit 8..... July 22, 2023 email..... 88</p> <p>12 Exhibit 9..... MAS Project M71600 report..... 92</p> <p>Exhibit 10.... Johns Manville internal 115</p> <p>13 correspondence September 9, 1976</p> <p>Exhibit 11.... Longo deposition Zundel case..... 123</p> <p>14 Exhibit 12.... video..... 131</p> <p>Exhibit 13.... Su report and notarization..... 132</p> <p>15 Exhibit 14.... invoices..... 145</p> <p>Exhibit 15.... Cardillo case report..... 151</p> <p>16 Exhibit 16.... MVA report Montana talc retains... 176</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	
<p>1 KEVIN C. McCAFFREY, ESQUIRE kevin.mccaffrey@clydeco.us 2 Clyde & Co US, LLP The Chrysler Building 3 405 Lexington Avenue, 16th Floor New York, New York 10174 4 on behalf of Kolmar and Nesleumur</p> <p>5 STEPHEN NOVAKIDIS, ESQUIRE novakidis@foleymansfield.com 6 Foley & Mansfield 86 Chambers Street, Suite 202 7 New York, New York 10007 on behalf of Avon Products, Inc.</p> <p>8 VIRGINIA SQUITIERI, ESQUIRE vsquitieri@grsm.com 9 Gordon Rees Scully Mansukhani LLP 10 One Battery Park Plaza, 28th Floor New York, New York 10004 11 on behalf of Colgate-Palmolive Company as a successor in interest to The Mennen Company</p> <p>12 ERIK DiMARCO, ESQUIRE edimarco@grsm.com 13 Gordon Rees Scully Mansukhani LLP 14 One Battery Park Plaza, 28th Floor New York, New York 10004 15 on behalf of Colgate-Palmolive Company (for Cashmere Bouquet)</p> <p>16</p> <p>17 ALSO PRESENT: 18 Alexa Pastor, videographer 19 TAYLOR HAMILTON, Technical Litigation Analyst Lathrop GPM LLP</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 3</p> <p>1</p> <p>2 S T I P U L A T I O N S</p> <p>3 IT IS HEREBY STIPULATED AND AGREED by 4 and between the attorneys for the respective parties 5 hereto that filing, sealing and certification of the 6 within Examination Before Trial be waived; that all 7 objections, except as to form, are reserved to the 8 time of trial.</p> <p>9 IT IS FURTHER STIPULATED AND AGREED that 10 the transcript may be signed before any Notary Public 11 with the same force and effect as if signed before a 12 Clerk or Judge of the Court.</p> <p>13 IT IS FURTHER STIPULATED AND AGREED that 14 the within examination may be utilized for all 15 purposes as provided by the CPLR.</p> <p>16 IT IS FURTHER STIPULATED AND AGREED that 17 all rights provided to all parties by the CPLR shall 18 not be deemed waived and the appropriate sections of 19 the CPLR shall be controlling with respect thereto.</p> <p>20 IT IS FURTHER STIPULATED AND AGREED by 21 and between the attorneys for the respective parties 22 hereto that a copy of the Examination shall be 23 furnished, without charge, to the attorney 24 representing the witness testifying herein.</p> <p>25 oOo</p>	Page 5

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1 correct?	1 2023, and Mickey and I came to this place and I
2 MR. KRAMER: Objection, mischaracterizes,	2 signed this report and because I was the author of
3 compound, argumentative.	3 this review report about MAS labs identification
4 THE WITNESS: That's not what I said. I	4 report.
5 think he has. I'm not accusing him that he did do	5 So I'm the author of this report and I
6 it.	6 signed it to prove it is ours also.
7 BY MR. THACKSTON:	7 MR. GUNTER: Okay, thank you."
8 Q. Well, I think Mickey Gunter wrote it,	8 (Video ends.)
9 that's what he said under oath, right?	9 MR. KRAMER: Don't answer any questions.
10 A. Correct, I think, but I have no evidence.	10 Let me object to the use of this video.
11 Q. You just throw out things like that and	11 Again, Dr. Su is, as I understand, outside the
12 say, well, let's just see if somebody can disprove	12 subpoena power of the United States or of this
13 it, I'm just going to say I think Mickey Gunter wrote	13 Court presently. He's not an expert witness in
14 the report, right?	14 this case. He hasn't been put up for deposition.
15 MR. KRAMER: Objection, argumentative,	15 I can't see exactly what he's actually even
16 asked and answered.	16 holding in his hand that he's referring to that he
17 THE WITNESS: Not what I said,	17 wrote.
18 Mr. Thackston. I said I think he wrote the	18 So, obviously, we will take up any issues
19 report.	19 of admissibility for use of this at trial at the
20 BY MR. THACKSTON:	20 appropriate time.
21 Q. Would you know Dr. Su if he walked in your	21 MR. THACKSTON: I'll mark as Exhibit
22 office right now?	22 Number 13 the notarized report from Dr. Su that
23 A. Maybe.	23 he's referring to in the videotape.
24 Q. Do you know what he looks like?	24 (Exhibit 13, Su report and notarization,
25 A. You want me to describe his body type?	25 was marked for Identification.)
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1 Q. No, I just want to know have you ever met	1 BY MR. THACKSTON:
2 him.	2 Q. Dr. Longo, first of all, did you hear the
3 A. I may have met him in the past because he	3 conversation between the two gentlemen on the
4 has audited our lab. I'm sure I have.	4 videotape?
5 Q. Would you know him if you saw him?	5 A. Yes, sir.
6 MR. KRAMER: Asked and answered.	6 Q. Do you have any reason to doubt that that's
7 THE WITNESS: Maybe.	7 Dr. Su?
8 BY MR. THACKSTON:	8 A. I have no reason to doubt it.
9 Q. Do you know who that gentleman on the left	9 Q. And if Dr. Su notarized a copy of the
10 is?	10 report, do you have any reason to doubt that that's
11 A. What I recall Gunter looking like.	11 an authentic notarization of Dr. Su given when he was
12 MR. THACKSTON: I'll mark as number 12 and	12 in Washington, DC to visit his daughter last week?
13 I'll ask the court reporter to take down the words	13 MR. KRAMER: Objection. There's no notary
14 in the video.	14 in video, there's no indication that a notary is
15 (Exhibit 12, video, was marked for	15 even there.
16 Identification.)	16 So answer to the extent you can,
17 BY MR. THACKSTON:	17 Dr. Longo.
18 Q. Do you know who that is on the right?	18 THE WITNESS: If that's the actual report,
19 A. I think that may be Dr. Su.	19 then I have no reason to dispute it, if, in fact,
20 Q. I'd ask you to listen to the videotape.	20 that is the report.
21 (Video played.)	21 MR. THACKSTON: And we'll make number 13
22 MR. GUNTER: And my colleague here is?	22 the affidavit that's been notarized in connection
23 DR. SU: I'm Shu-Chun Su and I'm here	23 with the report.
24 visiting from China here to the states to visit my	24 BY MR. THACKSTON:
25 daughter and I -- this is today August the 28,	25 Q. Okay. So would you consider criticism made

<p style="text-align: right;">Page 186</p> <p>1 Q. And to your knowledge, has anyone seen the 2 second round of testing that you did for the Kasen 3 firm other than the Kasen firm? 4 A. I don't know of anybody else. 5 Q. Do you know whether they have agreed with 6 the Simmons firm that they can use the second round 7 of testing that you did for the Kasen firm? 8 A. Oh, the second round, you mean the second 9 14 samples? 10 Q. Right. 11 A. Yeah. I don't know. It's up to them to 12 figure it out. 13 Q. Okay. And to cover all the tests you've 14 ever done on Clubman, the only kind of contamination 15 you think exists is the short chrysotile in the 16 0.0002 range? 17 MR. KRAMER: Form. 18 THE WITNESS: I don't know -- you know, 19 our amphibole so far, amphibole asbestos have been 20 non-detect. So all I can say is we haven't seen 21 any yet in our detection limit. 22 BY MR. THACKSTON: 23 Q. And what you've found is what you believe 24 is the SG-210 compatible chrysotile at the level I 25 just stated?</p>	<p style="text-align: right;">Page 188</p> <p>1 CERTIFICATE OF OATH 2 3 4 I, the undersigned authority, certify that 5 WILLIAM E. LONGO, PhD gave remote testimony on 6 September 1, 2023 and was sworn under penalties of 7 perjury. 8 9 WITNESS my hand and official seal this 5th 10 day of September, 2023.</p> <p>11 12  13 14 BEVERLY BOURLIER JAMES My Commission #GG355486 15 Expires September 9, 2023 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 187</p> <p>1 A. Well, it's not so much compatible, it's 2 almost a match for the characteristics, the 3 dispersion staining, the -- which is the main thing, 4 the birefringence calculations are about the same. 5 Q. Did I get the percentage right, 000 and a 6 digit of a percentage? 7 A. That's our -- that's about our detection 8 limit. 9 Q. Okay. I understand you have to go at 5. I 10 have no more questions. I thank you for your time 11 and happy birthday. 12 A. Thank you. 13 THE VIDEOGRAPHER: The time is 5:01 p.m. 14 and this concludes today's deposition. 15 (The deposition was concluded at 16 approximately 5:01 p.m.) 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 189</p> <p>1 REPORTER'S CERTIFICATE 2 3 4 I, BEVERLY BOURLIER JAMES, Registered 5 Professional Reporter, certify that I was authorized 6 to and did stenographically report the foregoing 7 remote deposition of WILLIAM E. LONGO, PhD; and that 8 a review of the transcript was not requested; and 9 that the transcript is a true and complete record of 10 my stenographic notes. 11 I further certify that I am not a relative, 12 employee, attorney, or counsel of any of the parties, 13 nor am I a relative or employee of any of the 14 parties' attorney or counsel connected with the 15 action, nor am I financially interested in the 16 action. 17 Dated this 5th day of September, 2023. 18 19  20 21 BEVERLY BOURLIER JAMES Registered Professional Reporter Certified Realtime Reporter Florida Professional Reporter Georgia Certified Reporter 22 23 24 25</p>